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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 09-01212 JF
)	
Plaintiff,)	
)	STIPULATION AND [PROPOSED]
v.)	ORDER TO CONTINUE SENTENCING
)	
ROBERT ESTUPINIAN,)	
)	
Defendant.)	

On February 2, 2011, defendant Robert Estupinian and the United States Attorney's Office for the Northern District of California entered into a written plea agreement. Mr. Estupinian agreed to cooperate with the government, and his cooperation includes assisting the government in the prosecution of the defendant in the above entitled matter, *United States v. Terzakis, et al.*, CR 09-01212 JF (the *Terzakis* matter). Peter Ye, a co-defendant in a related case also entered into a cooperation plea agreement with the government. Mr. Estupinian and Mr. Ye are currently scheduled to be sentenced on June 9, 2011.

Jury trial in the *Terzakis* matter has been continued at the request of the defendant, Mr. Terzakis, due to the substitution of new defense counsel. The next appearance in the *Terzakis* matter is June 9, 2011 for trial setting or disposition.

Stipulation to Continue Sentencing
CR 09-01212 JF

1 In order for Mr. Estupinian to provide ongoing assistance in the *Terzakis* matter, and to
2 allow the Court to consider additional information relevant to sentencing, the parties jointly
3 stipulate and request that this Court continue the sentencing of Mr. Estupinian. The parties also
4 jointly propose that the Court convert the June 9, 2011 appearance to a status appearance, with
5 the expectation that the scheduling issues in the *Terzakis* matter will become clearer on that date.

6
7 Dated: May 18, 2011

Respectfully submitted,

8 MELINDA HAAG
9 United States Attorney

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11 /s/
12 DANIEL R. KALEBA
13 Assistant United States Attorney

14 Dated: May 20, 2011

15 /s/
16 JAMES T. REILLY
17 Attorney for Robert Estupinian

18 Based on the above, and for good cause shown,

19 IT IS HEREBY ORDERED:

20 That the June 9, 2011 sentencing of Robert Estupinian is hereby continued. The parties
21 are to appear before this Court on June 9, 2011 at 9:00 a.m. for further status on sentencing.

22
23
24
25 Dated: 6/8/11

26 
27 HON. JEREMY FOGEL
28 United States District Judge